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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

JOHN GILBERT,)	
)	
Plaintiff,)	
)	
vs.)	
)	
APC NATCHIQ, INC.)	
)	
Defendant.)	
_____)	Case No. 3:03-CV-00174 RRB

OPPOSITION TO DEFENDANT'S MOTION FOR ORAL ARGUMENT

Plaintiff opposes defendant's motion for oral argument on method calculation.

The question of whether he used the state rate calculation pursuant to 8 AAC 15.100 or the Federal law is a simple, straight forward and obvious question of law. The use of The Court's resources in this regard would appear to be unnecessary to plaintiff. Additionally, plaintiff and his counsel likely would travel to the hearing, which presumably would be held in Anchorage. Significant resources would need to be used

to such end. Counsel would travel from Fairbanks and plaintiff currently lives in Idaho.

Plaintiff leaves to The Court discretion as to whether or not The Court will find oral argument on defendant's method calculation motion helpful. If The Court thinks so then I will not oppose the hearing.

Respectfully submitted this 1st day of August, 2006 at Fairbanks, Alaska.

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CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing has been
Electronically sent to the following attorney(s) and/or
parties of record:

Patricia Zobel
DeLisio Moran Geraghty & Zobel
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Dated: 8/1/06

By: /s/ Emily S. Ervin
Emily S. Ervin for Kenneth L. Covell

GILBERT VS. APC NATCHIQ, INC.

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